



Town of East Fishkill
Dutchess County, New York
330 Route 376, Hopewell Junction,
New York 12533

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
OCTOBER 26, 2023
PUBLIC HEARING SPECIAL BENEFIT UNITS MEETING @ 5:30PM**

Call to Order

Pledge of Allegiance

Roll Call

Public Hearing

- 1) Open Public Hearing with respect to the 2024 Town and Special District Budget and Benefit Assessment Roll for Town Districts
 - a. Close Public Hearing

Adjournment

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
OCTOBER 26, 2023
REGULAR VOTING MEETING @ 6:00PM**

Call to Order

Pledge of Allegiance

Supervisor's Announcements

Roll Call

Public Hearings

- 1) Open Public Hearing with respect to the Preliminary 2024 Town Budget
 - a. Close Public Hearing
 - b. Adopt 2024 Budget & Benefit Assessment Roll for Town Districts
- 2) Open Public Hearing for Consideration of Final Senior Citizen and Volunteer Fireman Tax Exemptions

- a. Close Public Hearing
 - b. Adopt Neg Dec and Local Law
- 3) Open Public Hearing to Consider Issuing a Bond to Finance Improvements to Hopewell West, Revere Park, and Fishkill Plains
- a. Close Public Hearing
 - b. Adopt Public Interest Order & Bond Resolution

Approve Minutes

August 17, 2023

September 28, 2023

Announcement of Additions to the Agenda

Courtesy of the Floor

Receive and File

Resolutions:

- 1) Hire Full Time Laborer in Highway Department
- 2) Schedule Town Board Meeting Dates for 2024
- 3) Set Snowplow Rates for 2024
- 4)
 - a) To Declare an Emergency for Repairs for Taconic Estates Water District
 - b) To Reallocate ARPA Funding for Taconic Estates Water District
 - c) Set Public Hearing for November 9, 2023 to Consider Issuing a Bond to Finance Improvements to Taconic Estates Water District
- 5) Authorize the Installation of a Shed at the Recreation Facility
- 6) Appoint New Member to Fire Advisory Board
- 7) Seek Lead Agency with Respect to iPark Waterline and Water Tank Construction
- 8) Appoint Town Hall Temporary Part-Time Typist
- 9) Authorization of Change Order of Term Contract for Additional Hydrant and Valve

Additions to the Agenda by Majority Vote (If any)

Budget Transfers

Adjournment

Next Town Board Meetings: Regular Meeting November 9, 2023

Local Law No. ___ of 2023

(A LOCAL LAW TO AMEND TOWN CODE PROVISIONS WITH RESPECT TO TAX EXEMPTION LIMITS FOR VOLUNTEER FIREMATIC AND EMERGENCY MEDICAL PERSONNEL)

Section 1. Legislative Intent

The Town Code currently contains provisions related to exemptions for certain groups. These exemptions are based on limits allowed by the State pursuant to the Real Property Tax Law (“RPTL”). From time to time, the State increases exemption limits for certain groups. Based on these increases, the Supervisor and Town Board now wish to update the Town Code to reflect these updated exemption limits.

Section 2. Amendments to the Town Code for Section 168-17 Exemption for Volunteer Fire and Ambulance Workers

Section 168-17 of the Town Code shall be amended to read as follows:

The Town of East Fishkill hereby grants the exemption authorized pursuant to § 466-c of the Real Property Tax Law. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the Town of East Fishkill shall be exempt from taxation to the extent of 10% of the assessed value of such property for Town, part Town, or special district purposes, exclusive of special assessments, subject to the applicant being certified as an enrolled member of the incorporated volunteer fire company, fire department, or ambulance service for a minimum of two years prior to receiving this exemption.

The exemption shall also apply to the following qualifying individuals who meet the criteria of one of the options below:

- a. The exemption shall apply to the un-remarried spouse of a member of a volunteer fire company or volunteer ambulance service killed in the line of duty who had been a member of the volunteer fire company or volunteer ambulance service for at least five years, and who also had been receiving the exemption prior to his or her death; or**
- b. The exemption shall apply to the un-remarried spouse of a deceased member of a volunteer fire company or voluntary ambulance service who had been a member of the volunteer fire company or volunteer ambulance service for at least twenty years, and who also had been receiving the exemption prior to his or her death; or**
- c. A lifetime exemption shall include applicants who have been certified as enrolled members of an incorporated volunteer fire company, fire department, or ambulance service for at least twenty years, as long as the member’s primary residence is located within Dutchess County.**

Section 3. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
PETER CASSIDY, TOWN CLERK**

**Adopted October 26, 2023
At a Regular Meeting
Held at Town Hall**

Name of Action: **AMEND TOWN CODE PROVISIONS WITH RESPECT TO TAX EXEMPTION LIMITS FOR VOLUNTEER FIREMATIC AND EMERGENCY MEDICAL PERSONNEL**

For Further Information:

Contact Person: Peter J. Cassidy, Town Clerk
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action would result in amendments to Town Code **Section 168-17 Exemption for Volunteer Fire and Ambulance Workers**. The Town code will be amended to provide exemptions for real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service or such enrolled member and spouse residing in the Town of East Fishkill to the extent of 10% of the assessed value of such property for Town, part Town or special district purposes, exclusive of special assessments, subject to the applicant being certified as an enrolled member of the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service for a minimum of two years prior to receiving this exemption. The proposed action would not result in any significant adverse impacts for the following reasons:

1. It will not result in any significant fiscal impacts.
2. It will not generate a significant amount of additional vehicles, noise or emission levels.
3. It will not affect rare or endangered species of animal or plant, or habitat of such species.
4. It will not result in any impacts to historic or archeological resources.
5. It will not result in any impacts related to hazardous materials.
6. It will not result in a significant effect on air, water quality or ambient noise levels for adjoining areas.
7. It will not be subjected to unacceptable risk of flooding or major geological hazards.
8. It will not have a substantial aesthetic affect.
9. It will not involve adversely affect any surface water or groundwater.
10. It will not allow for improper uses within specified zoning districts.
11. It will not result in adverse cumulative impacts.

12. It will not result in adverse growth-inducing impacts.
13. It will not conflict with the Town's Comprehensive Plan.

In conclusion, no significant potential impacts were identified as a result of the Proposed Action.

SEQR Negative Declaration

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Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON OCTOBER 26, 2023.

Chairperson/Designee

Date

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
- Appropriate Regional Office of the Department of Environmental Conservation.
- Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.
- Applicant (if any)
- Other involved agencies (if any)

RESOLUTION

42459-2-704

At a regular meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, held at the Town Hall, in Hopewell Junction, New York on October 26, 2023, at 6:00 o'clock P.M., Prevaling Time.

PRESENT:

Nicholas D’Alessandro
Supervisor

Tom Franco
Councilperson

Emanuele Marinaro
Councilperson

Craig Arco
Councilperson

Marianne Flores
Councilperson

<p>In the Matter of The Increase and Improvement of the Facilities of Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District, in the Town of East Fishkill, Dutchess County, New York</p>	<p>PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of East Fishkill, Dutchess County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the joint increase and improvement of the facilities of Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District, in the Town of East Fishkill, Dutchess County, New York (the “Water Districts”), being the

construction of interconnection and related facilities, in East Fishkill, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$5,145,635; and

WHEREAS, at a meeting of said Town Board duly called and held on September 28, 2023, an Order was adopted by it and entered in the minutes specifying the said Town Board would meet to consider said increase and improvement of the Water Districts, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Hopewell Junction, New York, in said Town, on October 26, 2023 at 6:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make joint improvements to Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District in the Town of East Fishkill, Dutchess County, New York, consisting of the construction of interconnection and related facilities, in East Fishkill, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$5,145,635. Said maximum estimated cost shall be apportioned as follows:

Revere Park Water District:	\$1,285,145
Fishkill Plains Water District:	723,102
Hopewell West Water District:	3,137,388

	Allocation of Maximum Estimated Cost	Bonds to be Authorized*	Grants to be Allocated	Anticipated Bonds to be Issued*
Revere Park Water District	\$1,285,145	\$1,285,145	\$ 771,087	\$ 514,058
Fishkill Plains Water District	723,102	723,102	402,441	320,661
Hopewell West Water District	3,137,388	3,137,388	1,882,433	1,254,955

* Bonds authorized at maximum estimated cost, including grant portion to permit borrowing in anticipation of receipt of grants.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

- Councilperson Tom Franco VOTING _____
- Councilperson Emanuele Marinaro VOTING _____
- Councilperson Craig Arco VOTING _____
- Councilperson Marianne Flores VOTING _____
- Supervisor D’Alessandro VOTING _____

The order was thereupon declared duly adopted.

* * * * *

**BY ORDER OF THE TOWN BOARD
OF THE TOWN EAST FISHKILL
PETER CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**

RESOLUTION-XXX/2023

BOND RESOLUTION DATED OCTOBER 26, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,145,635 BONDS OF THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE JOINT INCREASE AND IMPROVEMENT OF THE FACILITIES OF REVERE PARK WATER DISTRICT, FISHKILL PLAINS WATER DISTRICT AND HOPEWELL WEST WATER DISTRICT IN THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK.

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined by the Town Board will not result in any significant adverse environmental impacts; and

WHEREAS, pursuant to the proceedings heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated October 26, 2023, said Town Board has determined it to be in the public interest to increase and improve the facilities of Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District in the Town of East Fishkill, Dutchess County, New York (together, the “Water Districts”), being the construction of interconnection and related facilities, in East Fishkill, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$5,145,635; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the joint increase and improvement of the facilities of the Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District in the Town of East Fishkill, Dutchess County,

New York, being the construction of interconnection and related facilities, in East Fishkill, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$5,145,635, there are hereby authorized to be issued \$5,145,635 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose is by the issuance of the \$5,145,635 serial bonds of said Town authorized to be issued pursuant to this bond resolution; **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received for such specific object or purpose or the Town Board shall appropriate other monies of the Town therefor, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first obligation issued in connection therewith. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of East Fishkill, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water Districts as allocated amongst such Water Districts, and as applicable therein, being levied and collected from several lots and parcel of land in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the

New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

The resolution was thereupon declared duly adopted.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILPERSON TOM FRANCO VOTING _____

COUNCILPERSON EMANUELE MARINARO VOTING _____

COUNCILPERSON CRAIG ARCO VOTING _____

COUNCILPERSON MARIANNE FLORES VOTING _____

SUPERVISOR NICHOLAS D’ALESSANDRO VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
PETER CASSIDY, TOWN CLERK

DATED: OCTOBER 26, 2023
EAST FISHKILL, NY

RESOLUTION-xxx/2023

(ACKNOWLEDGE HIRING AT HIGHWAY DEPARTMENT)

WHEREAS, the Highway Superintendent and Councilman Craig Arco have interviewed Joseph Norris; and

WHEREAS, the Highway Superintendent has hired Joseph Norris to fill the Full-Time Laborer vacancy; and

WHEREAS, the Highway Superintendent has submitted a memo to the Town Board; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledge the hiring of Joseph Norris as Full-Time Laborer in the Highway Department; and

BE IT FURTHER RESOLVED, that Full-Time Laborer will be paid in accordance with the CSEA contract, effective October 29, 2023.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**



Town of East Fishkill - Highway Department
2484 Route 52
Hopewell Junction, New York 12533
Phone: 845-221-2681 Fax: 8454-226-6229

Kenneth Williams
Highway Superintendent

TO: East Fishkill Town Board
FROM: Kenneth Williams, Highway Superintendent
DATE: October 12, 2023

I, Kenneth Williams, respectfully request that the East Fishkill Town Board recognize the hiring of Joseph Norris as a full-time laborer for the East Fishkill Highway Department, effective October 29, 2023.

Thank you.

Kenneth Williams
East Fishkill Highway Superintendent
KW/jl

RESOLUTION – xxx/2024

(SCHEDULING TOWN BOARD MEETINGS FOR 2024)

WHEREAS, the Town Board has determined to review and schedule meetings for 2024; and

WHEREAS, it is the desire of the Town Board to have regularly scheduled meetings;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board shall conduct their monthly workshop and regular meetings per the following schedule; and

January 18– Regular Meeting
February 8 – Workshop/Regular Meeting
March 14 – Workshop
March 28- Regular Meeting
April 11 Workshop
April 25 - Regular Meeting
May 9 - Workshop
May 23 - Regular Meeting
June 27 - Regular Meeting/Workshop
July 25- Regular Meeting/Workshop
August 22- Regular Meeting/Workshop
September 12 - Workshop
September 26 - Regular Meeting
October 10 – Workshop/Budget Discussion
October 24 – Regular Meeting
November 14– Regular Meeting
December 12- Regular Meeting

BE IT FURTHER RESOLVED, that the said meetings shall be held at the Town Hall and shall commence at **6:00 PM**.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**

RESOLUTION – xxx/2023

(ESTABLISHING SNOW REMOVAL RATES WINTER)

WHEREAS, NYS Highway Law §143 allows the Highway Superintendent to hire vehicles and operators to remove snow from Town Roads; and

WHEREAS, the hourly rates for the equipment and operators must be approved by the Town Board, and

WHEREAS, the owner of any equipment hired will sign a form agreement and provide a Certificate of Insurance naming the Town as an Insured, and

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent may hire equipment with operators herein at the following rates; and

- | | |
|--|----------|
| 1) Min. 9' with 4 YD Sander, 4 WD, with Driver | \$180.00 |
| 2) F250 or Equal: 8' Plow with 2-4 YD Sander, 4WD with Driver | \$170.00 |
| 3) F450 or Equal: 9' Plow with 2-4 YD Sander, 4 WD with Driver | \$170.00 |
| 4) Min. 10' Plow 11' Wing 4 YD Sander with Driver and Wing | \$305.00 |
| 5) 4 x 2 - 11' Plow 11' Wing 6-8 YD Sander | \$245.00 |
| 6) 4 x 4 - 11' Plow 11' Wing 8 YD Sander | \$265.00 |
| 7) Min. 10' Plow with 5 YD Sander, 4WD with Driver | \$235.00 |
| 8) Min. 10' Plow with 8 YD Sander with Driver | \$280.00 |
| 9) Min. 10' Plow with 4 YD Sander with Driver | \$215.00 |
| 10) Min. 10' Plow 11' Wing 9 YD Sander with Driver and Wing | \$350.00 |
| 11) Min. 10' Plow 11' Wing 9 YD Sander with Driver and No Wing | \$285.00 |

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**

TOWN BOARD MEETING
OCTOBER 26, 2023

RESOLUTION

**(TO DECLARE AN EMERGENCY FOR REPAIRS FOR TACONIC
ESTATES WATER DISTRICT)**

Resolution not available at time of posting

DRAFT

TOWN BOARD MEETING
OCTOBER 26, 2023

RESOLUTION

**(TO REALLOCATE ARPA FUNDING FOR TACONIC ESTATES WATER
DISTRICT)**

Resolution not available at time of posting

DRAFT

RESOLUTION

4161-5695-8028.01

42459-2-705

At a regular meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, held at the Town Hall, in Hopewell Junction, New York on October 26, 2023, at 6:00 o'clock P.M., Prevailing Time.

PRESENT:

Nicholas D' Alessandro
Supervisor

Tom Franco
Councilperson

Emanuele Marinaro
Councilperson

Craig Arco
Councilperson

Marianne Flores
Councilperson

<p>In the Matter of The Increase and Improvement of the Facilities of Taconic Estates Water District, in the Town of East Fishkill, Dutchess County, New York</p>	<p>ORDER CALLING PUBLIC HEARING</p>
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WHEREAS, the Town Board of the Town of East Fishkill, Dutchess County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Taconic Estates Water District, in the Town of East Fishkill, Dutchess County, New York (the "Water District"), being emergency reconstruction of water mains, including original furnishings,

equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,000,000; and

WHEREAS, said capital project, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. A public hearing will be held in the Town Hall, in Hopewell Junction, New York, in said Town, on November 9, 2023, at 6:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Taconic Estates Water District, in the Town of East Fishkill, Dutchess County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing. The Town Board hereby ratifies the provision of said Notice of Public Hearing to the official newspaper prior to the date hereof.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

COUNCILPERSON TOM FRANCO VOTING _____

COUNCILPERSON EMANUELE MARINARO VOTING _____

COUNCILPERSON CRAIG ARCO VOTING _____

COUNCILPERSON MARIANNE FLORES VOTING _____

SUPERVISOR D'ALESSANDRO VOTING _____

The order was thereupon declared duly adopted.

* * * * *

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
PETER CASSIDY, TOWN CLERK

DATED: OCTOBER 26, 2023
EAST FISHKILL, NY

RESOLUTION

(AUTHORIZING A THE INSTALLATION OF A SHED AT THE RECREATION FACILITY)

WHEREAS, the Lacrosse League have approached the Town with a plan to erect a shed at the top of the McGrath Field; and

WHEREAS, said building will be purchased by the league. This will be no cost to the town; and

WHEREAS, the structure will be given to the Town for recreation usage;

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby approves the installation of said structure near the McGrath Field. The Highway Department will oversee the project for proper installation and location; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute an agreement for the town's ownership of such property.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**

RESOLUTION

(APPOINT A MEMBER TO THE FIRE ADVISORY BOARD)

WHEREAS, The Fire Advisory Board, a volunteer board, has a vacancy thereon; and

WHEREAS, it is the desire of the Town Board to fill said vacancy;

NOW, THEREFORE, BE IT RESOLVED, that Robert Odell Jr. of Hopewell Junction, NY be and hereby is appointed as a member of the Fire Advisory Board for a term of 1 year.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION-xxx/2023
(DECLARING INTENT FOR LEAD AGENCY
FOR WATERLINE AND STORAGE TANK)

WHEREAS, the Town of East Fishkill has been requested by Natural Resources and ON Semiconductor for the installation of a new waterline and storage tank that will serve the Rt 52 Commercial Water Improvement Area; and

WHEREAS, the Town of East Fishkill has sought Engineering Consulting Services; and

WHEREAS, the Town of East Fishkill previously established the Water Improvement Area; and

WHEREAS, the Town will utilize water source delivered by Dutchess County Water and Waste Water Authority (DCWWA); and

WHEREAS, the Town will receive easements for the eventual location of waterline and storage tank; and

WHEREAS, an Environmental Assessment Form (EAF) has been filed with the Town Board as required by 6 NYCRR §617.6(a)(2) to initiate the mandatory environmental review prescribed by the State Environmental Review Act (SEQRA) for the proposed project; and

WHEREAS, this resolution will initiate the SEQRA process for the Action contemplated by the Town as set forth above and the Town Board has undertaken an initial review of the Action as required by 6 NYCRR §617.6 of the SEQRA. The Town Board has reviewed the SEQRA list actions and is of the opinion the project is an Unlisted Action and desires to act as Lead Agency for the purpose of conducting the SEQR review; and

NOW THEREFORE, IT IS RESOLVED, that the Town Board hereby makes a preliminary classification of the Action as an "Unlisted Action" as such term is defined in 6 NYCRR §617.2. The Town Board hereby declares its intention to be Lead Agency for the purpose of conducting the SEQR review of the Action and that the Town's consultants and employees are hereby authorized to forward appropriate notifications, and any other documents for listings, or other needs identified by various involved agencies; and

FURTHER RESOLVED, that the Town Board authorizes and directs the prompt transmission of the EAF with a Lead Agency Intent Notice for the purpose of conducting a coordinated SEQR review. Involved agencies must be agreed upon within 30 calendar days of the date the EAF is transmitted to them; and

FURTHER RESOLVED, that the Supervisor of the Town is authorized to execute such documents and take such lawful actions as either such officer may deem convenient, necessary or advisable in order to effectuate the foregoing resolutions, which actions may include without limitation seeking consents from other involved agencies to the designation of the Town as lead agency with respect to the Action.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
PETER J. CASSIDY TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(APPOINT TOWN HALL TEMPORARY PART-TIME TYPIST)

WHEREAS, the Town is in need from time to time of temporary employees commonly referred to as Floaters to assist in the clerical functions necessary to operate Town Departments; and

WHEREAS, Alyssa Barone has been interviewed and is recommended to be hired as a Temporary Typist; and

NOW, THEREFORE, BE IT RESOLVED, that the applicant is hereby appointed as a Temporary Part-time Typist in the Town, being paid at the hourly rate of \$16.28; and

BE IT FURTHER RESOLVED, that said typist shall work at the pleasure of the Town Supervisor in accordance with all the previously established rules and regulations.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**

RESOLUTION 2023-xxxx

**TOWN OF EAST FISHKILL
WATER AND SEWER DEPARTMENT
HYDRANT/VALVE REPLACEMENTS CONTRACT EXTENSION**

WHEREAS, the Town of East Fishkill oversees maintenance and operations for the various water special districts and is seeking hydrant and valve replacements; and

WHEREAS, the Town previously awarded Legacy Supply, Inc. a contract to perform hydrant and valve replacement projects, based upon lowest qualified bid results; and

WHEREAS, the Town completed hydrant and valve replacements for the 2022 & 2023 years and the Town has identified additional valve and hydrant replacement locations needed at the Rt 52 Commercial Water Improvement Area; and

WHEREAS, the Town can extend the contract with Legacy Supply, Inc. to complete the replacement of the additional hydrants and valves;

NOW THEREFORE, IT IS RESOLVED, that the additional hydrants and valves be replaced by Legacy Supply, Inc for the amount not to exceed \$250,000.00; and

NOW THEREFORE, IT IS FURTHER RESOLVED, that the Town Board hereby declares and authorizes Nicholas D'Alessandro, Town Supervisor, be provided the authority to authorize a contract change order with Legacy Supply, Inc.

**BY ORDER OF THE TOWN BOARD
PETER CASSIDY, TOWN CLERK**

**DATED: OCTOBER 26, 2023
EAST FISHKILL, NY**



Town of East Fishkill

Sewer and Water Department

330 Route 376, Hopewell Junction, New York 12533

Telephone 845-223-5114

Engineer's Memo

Subject: Hydrant & Valve Replacement Contract Extension
From: George Cronk, P.E.
Date: October 26, 2023

The Town of East Fishkill previously multiple rounds of hydrant replacements, shut off valves, and wet taps located throughout the town water districts. The Water and Sewer Department has now identified the need for a wet tap, valves, backflow prevention, and metering needed at the Rt 52 Commercial Water Improvement Area. We are proposing that the existing contract with Legacy Supply, Inc. be adjusted with a change order to accommodate the additional scope. This work will supply the Frito Lay property and other IPARK properties with metered water.

Funding for this work will be the responsibility of the WIA. We estimate that there will be up to approximately \$250,000.00 hydrant, valve, and back flow prevention work.

Legacy Supply, Inc. successfully completed the 2022 & 2023 hydrant and valve projects in a timely manner with satisfactory workmanship. We have a contract with Legacy Supply, Inc. for up to 3 years of services, starting in 2022. Therefore, we are recommending the change order be approved with Legacy Supply, Inc. We anticipate the work to be completed this Fall.